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Jenny Nguyen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: June 28, 2004

Daniel E. HOUSE et al.

Confirmation No.: 9705

Serial No.: 09/477,767

Group Art Unit: 2134

Filed: January 4, 2000

Examiner: Nalven, Andrew L.

For: METHOD AND SYSTEM FOR GROUPING OF SYSTEMS IN A
HETEROGENEOUS COMPUTER NETWORK

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**TERMINAL DISCLAIMER TO A OBVIATE DOUBLE
PATENTING REJECTION 37 C.F.R. 1.321(c)**

Sir:

The undersigned Attorney of Record, appointed by the Assignee, IBM Corporation, of the entire right, title and interest in and to the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office on January 4, 2000, under Reel/Frame 010496/0563, submits herewith a Terminal Disclaimer under 37 C.F.R. 1.321(c).

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DISCLAIMER

The owner, IBM Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. **6,732,172**, issued **May 4, 2004**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Respectfully submitted,
SAWYER LAW GROUP LLP

June 28, 2004
Date



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